

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 3 March 2010

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.11 pm
High Street, Epping

Members Present: M Colling (Chairman), G Pritchard (Vice-Chairman), Mrs D Collins, Miss C Edwards, R Frankel, Mrs A Grigg, Ms J Hedges, D Jacobs, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: A Green, A Boyce and P Gode

Officers Present: J Shingler (Principal Planning Officer), R Hellier (Aboriculturual Officer), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and R Martin (Website Assistant)

97. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

98. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

99. MINUTES

RESOLVED:

That the minutes of the meeting held on 10 February 2010 be taken as read and signed by the Chairman as a correct record.

100. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Jon Whitehouse and Janet Whitehouse declared personal interests in the following items of the agenda. The Councillors had determined that their interest were not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2355/09 – Former London Underground Station Site, Crossing Road, Epping.
- EPF/2366/09 – 45 Rayfield, Epping.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in the following items of the agenda by virtue of knowing the applicant for the first item and having a business interest in the second item. The Councillor had determined that his interest was prejudicial and that he would not remain in the meeting for the consideration of the application and voting thereon:

- EPF/0138/10 – 32 Kendal Avenue, Epping.
- EPF/2355/09 – Former London Underground Station Site, Crossing Road, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Ms J Hedges declared a personal interest in the following items of the agenda, by virtue of being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0138/10 – 32 Kendal Avenue, Epping.
- EPF/2355/09 – Former London Underground Station Site, Crossing Road, Epping.
- EPF/2366/09 – 45 Rayfield, Epping.

101. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

102. CONFIRMATION OF TREE PRESERVATION ORDER - EPF/47/09

With the consent of the Sub-committee the Chairman agreed to take item eight next.

Robin Hellier, the Assistant Landscape Officer introduced the report on TPO EPF/47/09 (Land to the rear of 12, 13 and 14 Shakletons, Ongar).

RESOLVED:

That Tree Preservation Order EPF/47/09 was not confirmed.

103. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 5 be determined as set out in the schedule attached to these minutes.

104. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0138/10
SITE ADDRESS:	32 Kendal Avenue Epping Essex CM16 4PR
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	TPO/EPF/45/91 G7 T1 Wellingtonia - Fell
DECISION:	Grant Permission (with conditions)

CONDITIONS

- 1 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 2 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 3 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Report Item No: 2

APPLICATION No:	EPF/2355/09
SITE ADDRESS:	Former London Underground Sub Station Site Crossing Road Epping Essex
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of former substation building and the erection of seven dwellings with access, parking and landscaping.
DECISION:	Grant Permission (Subject to Legal Agreement)

Members agreed to grant permission subject to the applicant first entering into a legal agreement within 12 months of the date of this application, to resurface the adjacent public footpath.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the LPA and the completed phase 1 investigation shall be submitted to the LPA upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the LPA for approval prior to first occupation of the completed development.

- 4 A scheme for protecting the proposed new dwellings from noise as outlined in the submitted noise survey shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be completed in accordance with the approved scheme and shall be completed before any of the proposed residential properties are occupied.
- 5 Prior to any demolition, a scheme for dealing with dust suppression shall be submitted to and approved by the Local Planning Authority. The agreed scheme should be implemented and maintained during the construction of the development.
- 6 Notwithstanding the details submitted, further details of refuse storage and collection facilities, including the design details of any structures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and such details as approved shall be implemented prior to occupation of the proposal.
- 7 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 8 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 9 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 10 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 11 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.
- The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.
- The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.
- The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.
- 12 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.
- The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.
- The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.
- The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.
- 13 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 14 Before any preparatory, demolition or construction works commence on site a mitigation strategy for the site shall be carried out and submitted to the Local Planning Authority, with a working methodology for site clearance and construction work to minimise impact to any protected species. Development shall be undertaken only in accordance with the agreed methodology and strategy.
- 15 No bonfires shall be permitted on site throughout the construction phase of the development.

- 16 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0730 to 1730 Monday to Friday and 0800 to 1300 hours on Saturdays, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 17 All construction and service vehicles along with any construction materials shall be parked and stored within the site and at no time parked or stored on the public highway during the construction period.
- 18 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 19 Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
- 20 The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months from the occupation of such dwelling.

Report Item No: 3

APPLICATION No:	EPF/2490/09
SITE ADDRESS:	40 Landview Gardens Ongar Essex CM5 9EQ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Retention of two storey rear extension.
DECISION:	Deferred

This item was deferred to enable Members to make a site visit.

Report Item No: 4

APPLICATION No:	EPF/2365/09
SITE ADDRESS:	40 Landview Gardens Ongar Essex CM5 9EQ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Certificate of lawful development for existing raised decking and patio.
DECISION:	Deferred

This item was deferred to enable Members to make a site visit.

Report Item No: 5

APPLICATION No:	EPF/2366/09
SITE ADDRESS:	45 Rayfield Epping Essex CM16 5AD
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Single storey side and rear extension and loft conversion with rear dormer window. (Revised application)
DECISION:	Refer to District Development Control Committee

Members agreed to refer this item to District Development Control Committee with no recommendation under Part 4 of the Constitution, to enable a wider debate about Permitted Development rights.